

HOUSE No. 3528

The Commonwealth of Massachusetts

HOUSE OF REPRESENTATIVES, June 25, 2013.

The committee on Education to whom were referred the petition (accompanied by bill, Senate, No. 210) of Katherine M. Clark, Martha M. Walz, Sal N. DiDomenico, William N. Brownsberger and other members of the General Court for legislation relative to safe and supportive schools and the petition (accompanied by bill, House, No. 520) of Martha M. Walz and others for legislation to ensure behavioral health and safety in the public schools, reports recommending that the accompanying bill (House, No. 3528) ought to pass.

For the committee,

ALICE HANLON PEISCH.

The Commonwealth of Massachusetts

In the Year Two Thousand Thirteen

An Act relative to safe and supportive schools.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 WHEREAS, a paramount goal of the Commonwealth is to ensure that all children receive
2 a high quality education that enables them to reach their full potential and become responsible
3 citizens who positively contribute to their communities and the Commonwealth; and

4 WHEREAS, a safe and supportive learning environment is a necessary foundation for
5 increasing academic achievement, enhancing healthy development, and improving educational
6 outcomes for all children; and

7 WHEREAS, the Massachusetts Behavioral Health and Public Schools Task Force
8 developed a framework and accompanying self-assessment tool that facilitates the creation of
9 safe and supportive learning environments in schools;

10 THEREFORE, it shall be the policy of the Commonwealth to support and promote the
11 statewide implementation of the safe and supportive schools framework in order to create safe,
12 healthy and supportive learning environments in schools and districts across the Commonwealth.

13 SECTION 1. Chapter 69 of the General Laws, as amended by section 2 of chapter 240 of
14 the acts of 2012, is hereby amended by adding after section 1O the following section:-

15 Section 1P. (a) As used in this section the following words shall, unless the context
16 clearly requires otherwise, have the following meanings:--

17 “Behavioral health”, the social, emotional, mental and behavioral wellbeing of all
18 students.

19 “Board”, the board of elementary and secondary education.

20 “Department”, the department of elementary and secondary education.

21 “Framework”, the safe and supportive schools framework established under subsection
22 (b).

23 “Safe and supportive school environment”, a safe, positive, healthy and inclusive whole-
24 school learning environment that (i) enables students to develop positive relationships with
25 adults and peers, regulate their emotions and behavior, achieve academic and non-academic
26 success in school and maintain physical and psychological health and well-being; and (ii)
27 integrates services and aligns initiatives that promote students’ behavioral health, including
28 social and emotional learning, bullying prevention, trauma sensitivity, dropout prevention,
29 truancy reduction, children’s mental health, the education of foster care and homeless youth, the
30 inclusion of students with disabilities, positive behavioral approaches that reduce suspensions
31 and expulsions and other similar initiatives.

32 “Self-assessment tool”, the safe and supportive schools self-assessment tool established
33 under subsection (b).

34 (b) The behavioral health and public schools framework developed under section 19 of
35 chapter 321 of the acts of 2008 shall henceforth be known as the safe and supportive schools
36 framework. The framework shall provide guidance and support to schools to help them create
37 safe and supportive school environments that improve education outcomes for all students, and
38 shall be organized according to central elements of school operations which shall include but not
39 be limited to: (i) leadership; (ii) professional development; (iii) access to resources and services;
40 (iv) academic and non-academic supports; (v) policies and protocols; and (vi) collaboration with
41 families. Each school district and individual public school shall implement the safe and
42 supportive schools framework in order to: (i) organize, integrate and sustain school and district-
43 wide efforts to create safe and supportive school environments and (ii) coordinate and align
44 student support initiatives.

45 The self-assessment tool developed by the behavioral health and public schools task force
46 under section 19 of chapter 321 of the acts of 2008 shall henceforth be known as the safe and
47 supportive schools self-assessment tool. The self-assessment tool shall be organized according to
48 the elements of the framework and shall be used by schools to: (i) assess their capacity to create
49 and sustain safe and supportive school environments for all students; (ii) identify areas where
50 additional school-based action, efforts, guidance and support are needed in order to create and
51 maintain safe and supportive school environments; and (iii) create action plans to address the
52 areas of need identified by the assessment.

53 The board shall develop procedures for updating, improving or refining the safe and
54 supportive schools framework and the safe and supportive schools self-assessment tool, in
55 consultation with the safe and supportive schools commission established under subsection (f).

56 (c) Each school shall develop and update an action plan to create and maintain a safe and
57 supportive school environment for all students. The action plan shall be developed by the school

58 principal, in consultation with the school council established under section 59C of chapter 71,
59 and shall be incorporated into the annual school improvement plan required under section 1I;
60 provided, however, that the district superintendent may approve an alternative process and
61 schedule for developing school action plans. Nothing in this section shall be construed as
62 limiting the ability of the school principal to appoint a team for the purpose of developing the
63 school's action plan; provided, however, that such team shall include a broad representation of
64 the school and local community and the principal shall make every effort to include teachers and
65 other school personnel, parents, students and representatives from community-based agencies
66 and providers.

67 School action plans shall be designed to address the areas of need identified through the
68 use of the self-assessment tool described in subsection (b), and shall include the following: (i)
69 action steps and strategies for addressing the areas of need identified by the assessment; (ii) a
70 timeline for implementing the action steps and strategies; (iii) outcome goals and indicators for
71 evaluating the effectiveness of the initiatives and strategies set forth in the plan, which may
72 include attendance and graduation rates, bullying incidences, number of student suspensions,
73 expulsions and office referrals, truancy and tardiness rates, time spent on learning and other
74 measures of school success; and (iv) a process and schedule for reviewing the plan annually and
75 updating it at least once every 3 years.

76 (d) Each school district shall include in its 3 year district improvement plan required
77 under section 1I a description of the steps the district will take to support the district-wide
78 implementation of the safe and supportive schools framework and to facilitate regional
79 coordination with behavioral health providers and other community organizations.

80 Each district shall publish on its website all school action plans created under subsection
81 (c) for each school in the district.

82 (e) The department shall facilitate and oversee the statewide implementation of the safe
83 and supportive schools framework. The department shall: (i) provide technical assistance to
84 schools on using the self-assessment tool and developing school action plans, and to districts on
85 coordinating with community service providers and developing strategies to facilitate the
86 district-wide implementation of the framework; (ii) develop and disseminate model protocols
87 and practices identified in the framework; (iii) establish a "Safe and Supportive Schools" grant
88 program, subject to appropriation, wherein grantees shall pilot and share with other schools an
89 effective process for developing and implementing school action plans; (iv) update its website to
90 include the framework, the self-assessment tool, best practices and other information related to
91 the implementation of the framework; (v) host regional trainings for schools and districts, subject
92 to appropriation; and (vi) provide administrative support to the safe and supportive schools
93 commission established under subsection (f), subject to appropriation. Nothing in this section
94 shall be construed as limiting the ability of the department to contract with individuals, external
95 partners or other entities to support the functions established under this section; provided,

96 however, that the department shall consider opportunities for education collaboratives or other
97 regional service organizations to coordinate and disseminate training, technical assistance and
98 information to school districts on the implementation of the framework.

99 (f) There shall be a safe and supportive schools commission to collaborate with and
100 advise the department on the statewide implementation of the framework. The commission shall
101 also support and provide feedback on the statewide implementation of the framework by the
102 department. The commission shall consist of 18 members: 1 of whom shall be the commissioner
103 of elementary and secondary education, or his designee, who shall serve as co-chair; 1 of whom
104 shall be the secretary of education, or his designee; 1 of whom shall be a school superintendent
105 appointed by the Massachusetts Association of School Superintendents; 1 of whom shall be a
106 school committee member appointed by the Massachusetts Association of School Committees; 1
107 of whom shall be a school principal appointed jointly by the Massachusetts Secondary School
108 Administrators' Association and the Massachusetts Elementary School Principals Association; 1
109 of whom shall be teacher appointed jointly by the Massachusetts Teachers Association and the
110 American Federation of Teachers Massachusetts; 1 of whom shall be a director of special
111 education or director of student support services appointed by the Massachusetts Administrators
112 for Special Education; 1 of whom shall be an executive director of an education collaborative
113 appointed by the Massachusetts Organization of Education Collaboratives; 1 of whom shall be a
114 school psychologist appointed by the Massachusetts School Psychologists Association; 1 of
115 whom shall be a school social worker appointed by the Massachusetts Chapter of the National
116 Association of Social Workers; 1 of whom shall be a school adjustment counselor or guidance
117 counselor appointed by the Massachusetts School Counselors Association; 1 of whom shall be a
118 school nurse appointed by the Massachusetts School Nurse Organization; 1 of whom shall be an
119 advocate with experience in education, behavioral health and the impact of trauma on learning
120 appointed by Massachusetts Advocates for Children; 1 of whom shall be a representative of the
121 Parent/Professional Advocacy League appointed by the Parent/Professional Advocacy League; 1
122 of whom shall be a student appointed by the Board of Elementary and Secondary Education
123 Student Advisory Council; and 3 members to be appointed by the secretary of education: 1 of
124 whom shall be a former member of the behavioral health and public schools task force who
125 participated in the development and statewide evaluation of the self-assessment tool; 1 of whom
126 shall be a former member of the behavioral health and public schools task force with experience
127 implementing the framework; and 1 of whom shall be a representative from a community-based
128 organization that provides services as part of the children's behavioral health initiative and that
129 provides mental health services in schools. The commission shall select a co-chair from among
130 its appointees. In selecting commission appointees, priority shall be given to individuals who
131 either were members of the behavioral health and public schools task force or who represent
132 schools that have experience implementing the framework.

133 The commission shall: (i) investigate and make recommendations to the board on
134 updating, improving and refining the framework and the self-assessment tool as appropriate; (ii)

135 identify strategies for increasing schools' capacity to carry out the administrative functions
136 identified by the behavioral health and public schools task force; (iii) propose steps for
137 improving schools' access to clinically, culturally and linguistically appropriate services; (iv)
138 identify and recommend evidenced-based training programs and professional development for
139 school staff on addressing students' behavioral health and creating safe and supportive learning
140 environments; (v) identify federal funding sources that can be leveraged to support the statewide
141 implementation of the framework; (vi) develop recommendations on best practices for
142 collaboration with families, including families of children with behavioral health needs; and (vii)
143 examine and recommend model approaches for integrating school action plans, required under
144 subsection (c), with school improvement plans and for using the framework to organize other
145 school and district improvement processes.

146 The commission may collect and review data and feedback from schools as they
147 complete the self-assessment tool and develop school action plans, and may convene
148 stakeholders to facilitate solutions to challenges as they arise during the implementation process.
149 The commission may request from the department such information and assistance as may be
150 necessary to complete its work.

151 The commission shall consult with and solicit input from various persons and groups,
152 including, but not limited to: (i) the office of the child advocate; (ii) the department of early
153 education and care; (iii) the department of children and families; (iv) the department of mental
154 health; (v) the department of public health; (vi) the department of youth services; (vii) the
155 department of developmental services; and (viii) any other parties or entities the commission
156 deems appropriate.

157 SECTION 2. Subsections (b) through (d), inclusive, of section 1P of chapter 69 of the
158 General Laws shall be effective as of June 30, 2016.

159 SECTION 3. The department of elementary and secondary education shall begin
160 providing technical assistance required under subsection (e) of section 1P of chapter 69 of the
161 General Laws on or before September 1, 2014.

162 SECTION 4. The safe and supportive schools commission established under subsection
163 (f) of section 1P of chapter 69 of the General Laws shall conduct its first meeting not more than
164 90 days after the effective date of this act, and shall meet no less than 4 times annually. The
165 commission shall prepare and submit an annual progress report concerning the commission's
166 activities with appropriate recommendations, together with drafts of legislation necessary to
167 carry out such recommendations, if any, on or before December 31 each year. The commission
168 shall submit such annual report to the governor and the clerks of the senate and the house of
169 representatives, who shall forward the same to the chairs of the joint committee on education, the
170 chairs of the joint committee on mental health and substance abuse, the chairs of the joint
171 committee on children, families and persons with disabilities, and the chairs of the house and

172 senate committees on ways and means. The first 3 annual reports shall include recommendations
173 regarding: (i) federal funding sources that can be leveraged to support the statewide
174 implementation of the safe and supportive schools framework; (ii) training programs and
175 professional development for school staff on creating safe and supportive learning environments;
176 (iii) improving access to clinically, culturally and linguistically appropriate services; and (iv)
177 addressing the administrative functions necessary to carry out the implementation of the safe and
178 supportive schools framework. The commission shall continue to submit such annual reports
179 through December 31, 2023, after which the commission shall be terminated.